

House Daily Reader

Monday, February 06, 2012

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State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

686T0474

HOUSE EDUCATION ENGROSSED NO. **HB 1128** - 2/1/2012

Introduced by: Representatives Bolin, Greenfield, Hickey, Hoffman, Hubbel, Jensen, Liss, Lucas, Miller, Olson (Betty), Tornow, Vanneman, and Venner and Senators Kraus and Juhnke

1 FOR AN ACT ENTITLED, An Act to require the Board of Education to conduct public
2 hearings before adopting certain standards.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 13-3 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 Beginning on July 1, 2012, the Board of Education, prior to adopting any standards proposed
7 through the Common Core State Standards Initiative, a state-led effort launched by state leaders
8 through their membership in the National Governors Association Center for Best Practices and
9 Council of Chief State School Officers, shall conduct, over a period of one year, at least four
10 public hearings. The purpose of the hearings is to give members of the public the opportunity
11 to provide input to the board on whether the standards being proposed through the initiative
12 should be adopted in South Dakota. The board shall conduct at least one of the public hearings
13 in each of the following cities: Aberdeen, Pierre, Rapid City, and Sioux Falls.



State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

912T0539

HOUSE JUDICIARY ENGROSSED NO. **HB 1143** 2/1/2012

Introduced by: Representatives Nelson (Stace), Deelstra, Greenfield, Hansen (Jon), Hawley, Hubbel, Hunhoff (Bernie), Kloucek, Kopp, Liss, Miller, Olson (Betty), Sly, Tornow, and Venner and Senators Maher, Begalka, Lederman, and Novstrup (Al)

1 FOR AN ACT ENTITLED, An Act to revise certain provisions relating to a perpetrator's
2 knowledge of a rape victim's age or capability to give consent.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 22-22-1 be amended to read as follows:

5 22-22-1. Rape is an act of sexual penetration accomplished with any person under any of
6 the following circumstances:

7 (1) If the victim is less than thirteen years of age, regardless of whether or not the
8 perpetrator knew or should have known the victim's age; or

9 (2) Through the use of force, coercion, or threats of immediate and great bodily harm
10 against the victim or other persons within the victim's presence, accompanied by
11 apparent power of execution; or

12 (3) If the victim is incapable, because of physical or mental incapacity, of giving consent
13 to such act, regardless of whether or not the perpetrator knew or should have known



1 that the victim was incapable of giving consent; or

2 (4) If the victim is incapable of giving consent because of any intoxicating, narcotic, or
3 anesthetic agent or hypnosis; or

4 (5) If the victim is thirteen years of age, but less than sixteen years of age, and the
5 perpetrator is at least three years older than the victim, regardless of whether or not
6 the perpetrator knew or should have known the victim's age.

7 A violation of subdivision (1) of this section is rape in the first degree, which is a Class C
8 felony. A violation of subdivision (2) of this section is rape in the second degree which is a
9 Class 1 felony. A violation of subdivision (3) or (4) of this section is rape in the third degree,
10 which is a Class 2 felony. A violation of subdivision (5) of this section is rape in the fourth
11 degree, which is a Class 3 felony. Notwithstanding § 23A-42-2 a charge brought pursuant to this
12 section may be commenced at any time prior to the time the victim becomes age twenty-five or
13 within seven years of the commission of the crime, whichever is longer.

State of South Dakota

EIGHTY-SEVENTH SESSION
LEGISLATIVE ASSEMBLY, 2012

366T0124

HOUSE JUDICIARY ENGROSSED NO. **HB 1181** - 2/1/2012

Introduced by: Representatives Kirkeby, Abdallah, Hickey, and Jensen and Senators Tieszen, Adelstein, Haverly, and Rampelberg

1 FOR AN ACT ENTITLED, An Act to revise certain requirements concerning the qualifications
2 of petition circulators.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That subdivision (9) of § 12-1-3 be amended to read as follows:

5 (9) "Petition circulator," a resident of the State of South Dakota who is at least eighteen
6 years of age who circulates nominating petitions or other petitions for the purpose of
7 placing candidates or issues on any election ballot. No person who has been
8 convicted of a sex offense pursuant to chapter 22-22 or whose name appears on the
9 sex offender registry may circulate a petition for the purpose of placing candidates
10 or issues on any election ballot;

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